

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 55289

Sandra M. Sutton

7826 St. Gregory Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on April 14, 2009, for a Hearing on a citation for violations under the Baltimore County Code § 13-7-310, remove all trash and debris from site: trash and debris in front and rear yards remain on residential property known as 7826 St. Gregory Drive, 21222.

On March 9, 2009, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,500.00 (one thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on January 21, 2009 for removal of all trash and debris from the property; and for valid building, electrical, and plumbing permits to be issued before renovation work is done. Photographs in the file show a brick rowhouse with the upper windows boarded, and the front yard full of junk and debris and numerous black plastic garbage bags.

B. Notes in the file document that the owner telephoned the inspector on February 2, 2009, said she was receiving insurance money and would be cleaning the property up. This Citation was issued on March 9, 2009. Photographs in the file taken April 3, 2009 show some of the debris has been removed, but a large pile of lumber and demolished wall material and other construction debris is piled in the front yard. Additional junk and debris is piled on the back porch, and a large pile of junk and debris including a mattress is piled in the back yard. Re-inspection on April 13, 2009 shows no improvement.

C. Open dump conditions and impermissible junk, trash and debris in the front and back yard continue unabated at this property. This constitutes a continued violation of County Code provisions requiring proper storage and disposal of solid waste, and prohibiting conditions that are conducive to rat harborage and rat infestation.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,500.00 (one thousand five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the property is cleaned up and the violations are corrected by May 8, 2009. If the property is not cleaned up by that date, the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 21<sup>st</sup> day of April 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer